













## CALIFORNIA AND COAST.

## An Excursion Train Wrecked Near San Bernardino.

## IMPORTANT COURT DECISION.

## Opening Day of the Blood-Horse Association Races—Homicide in Oregon.

(SPECIAL DISPATCHES TO THE RECORD-UNION.)

## IMPORTANT LUNING.

## A Decision Which May Release Many Debtors.

SAN FRANCISCO, November 22.—A decision was rendered in the State Supreme Court yesterday in the case of J. C. McCarthy, appellant, vs. The State of Washington. The court, in its reversal of the lower court, is a proceeding by information on the charge of grand larceny for stealing ninety-three dollars and ten cents from the Northern Pacific. To this the defendant interposed a demurrer that "the information did not state sufficient facts to constitute an offense," and that there was no authority for proceeding by information.

The court goes on to say that Article VI, Section 25, of the constitution of the State of Washington, provides for proceedings by information. The act of the Legislature authorizing proceedings by information was passed January 23, 1890. The constitution, by an act of Congress, as well as by its own terms, did not become operative until the President's proclamation, which was not made until November 11, 1890, so that the date of the alleged crime ante-dates not only the act of the Legislature, but also the vouching of the constitution by the President's proclamation.

The court holds that defendant "was entitled to the United States Constitution, by a Grand Jury on the 12th day of October, 1889, as the laws of the Territory of Washington were in force, which was the supervision of the United States Congress, and the courts of the Territory were really United States Courts. Having the right at that time to make the indictment from him by a retroactive enactment of the State, even if it had been the intention of the Legislature to make the act retroactive in its effect."

We do not think," says the court, "the defendant can be held to answer the charge of larceny on a presentment to a Grand Jury. We are also of the opinion that the information failed to state facts sufficient to charge the crime of larceny. The crime of larceny should have been alleged and the information should have shown that they were committed by the defendant. The information, stamped, undated and unsigned railway ticket is not a subject of larceny."

"Judgment is reversed and the case remanded to the district court with instructions to sustain the demurrer."

Under this decision Hoyt and Stone, sent from this country to the United States, and one hundred other persons, must be released, aside from seventy-five or one hundred other persons, must be released. The question will now come up, "Can they again be put in jeopardy?" many having served a portion of their sentences. It is said this is the first time a matter of this kind has been fully passed upon in any State court.

## BLOOD-HORSE RACES.

## For a Wonder, Rain Does Not Interfere With the Sport.

SAN FRANCISCO, November 22.—Hereafter it has always been a safe prediction to make that whenever the California Blood-Horse Association gave its fall meeting races it was sure to rain, but the weather clerk charged with the duty of announcing and made one of the finest days possible for the first day's racing, although the class of entries was not particularly good.

A good crowd was in attendance this afternoon. The track was not in the best condition, but hard work on the part of the managers for the last two or three days placed the track in a fair state. The book-makers were out in force. The jockeys, attired in their gay and colorful suits, made a conspicuous appearance when called up for the first event. Henry Walsh was the starter.

There were ten entries in the introductory race, as follows: Princess First, Revolver, Dan Murphy, Alfarata, Rio, Kildare, Adelaide, Jackson, King Hooker.

After a number of ineffectual attempts the horses were given the go, with Alfarata in the lead. The horses formed a good race in the three quarters, where Rio took the lead, winning easily. Alfarata second, Princess First third. Time, 1:41.

Second race, three quarters of a mile. Fearless won, Zinarella second, Cheerful third. Time, 1:34.

Two year-old purse, three quarters of a mile, Rosebud won, Power second, Getaway third. Time, 1:36.

Fourth race, one and one-quarter miles, Odette won, Sheridan second, Hotspur third. Time, 2:08.

## TROTTING AT STOCKTON.

## A Two-Year-Old Pacer Creates a Sensation—Stamboul Wins.

STOCKTON, November 22.—Stamboul was not feeling right to day, and could not trot better than 2:13. The stallion had not recovered from the effects of the hard work given him two days ago. He was first given the word on the fourth attempt to start, but broke down in the eighth quarter in 33 seconds, and came back for another start.

After a short rest he was sent off again. Goldsmith held the first quarter in 23 seconds. The half-mile post was reached in 1:03, the three-quarters in 1:34 and the mile in 2:13.

Goldsmith decided to make another trial next Saturday. Chief Thorn, a two-year-old pacer, owned by U. S. Thompson, made the sensation of the day by making a mile in the remarkable time of 2:01.

The judges announced that this was the fastest record ever made by a two-year-old pacer on the coast and the fastest but one in the world.

Lottery ticket, trotted against 2:26, and made the mile in 2:25.

Shipper's Moses S. trotted against his record of 2:15, and made the mile in 2:23. California Lambert lowered his record to 2:27.

The meeting will be kept open till next Saturday, for another trial to lower Stamboul's record.

## FARMERS' ALLIANCE.

## The Convention Concludes Its Labors and Adjourns.

SAN JOSE, November 22.—The Farmers' State Alliance completed its labors to-day. The following officers were announced: Vice President, E. M. Wardell, of Los Angeles; Treasurer, J. M. Moore, of Tulare; Secretary, Jesse Poundstone, of Colusa.

The business manager's home was placed at \$25,000, the other officers at \$5,000 each.

The report of the Committee on Constitution and By-laws was adopted.

The following committees were appointed: On Jurisprudence—S. L. Withersell, of Stanislaus; J. G. Stevenson, of San Luis Obispo; J. C. Drew, of Santa Cruz; T. A. Gallup, of Colusa; J. M. Sharp, of Ventura.

Legislative—D. C. Tully, of San Benito; E. M. Percy, of Santa Clara; John Reno, of Tulare.

After adopting a platform, and the passage of the usual resolutions of thanks, the Convention adjourned.

## TERRIBLE EXPERIENCE.

## A Lineman Receives One Thousand Volts of Electricity.

SAN FRANCISCO, November 22.—L. W. Morgan, an employee of the California Electric Company, to-day received the full force of 1,000 volts of electricity. He was repairing a wire at the corner of Kearny and Sutter streets, and was forty-three feet from the sidewalk. He clung by his hands to the wire, and when another workman tried to bring him down his grasp on the wire could not be broken.

The wire was finally cut and Morgan dropped unconscious into the arms of his rescuer, who brought him safely to the ground.

The palms of Morgan's hands were burned to the bone, and after regaining consciousness he suffered intense agony. Thousands of people were on the streets at the time, and the accident created intense excitement. Morgan will recover.

## GOVERNOR FERRY WILL RESIGN.

SAN FRANCISCO, November 22.—A Chronicle Olympia (Wash.) special says that Governor E. A. Ferry of Washington, who is suffering from nervous prostration, has decided to resign the Governorship. He will leave for a trip to California on December 1, and will remain for some time at Santa Barbara. He will be succeeded by Lieutenant Governor Chas. E. Langston, an ex-Lieutenant Governor of Nevada.

## EAST OF THE ROCKIES.

## Two More Failures Caused by Stringency in the Money Market.

## TOMMY WARREN DEFEATS MILLER.

## Sensational Suicide of a Demented Woman—Workmen Injured by Falling Walls.

(SPECIAL DISPATCHES TO THE RECORD-UNION.)

## FORCED TO THE WALL.

The United States Rolling Stock Company in the hands of a Receiver.

CHICAGO, November 22.—The United States Rolling Stock Company has been placed in the hands of a receiver. The liabilities are \$3,510,000 and the assets \$3,000,000. The receiver is J. H. McLaughlin, of the Chicago office of the American Trust Company. The failure was precipitated by slow collections and the depression in the money market. The company is the largest builder of railway cars in the world, and has plants at Hegewisch, Ill., Decatur, Ala., Ansonia, Ala., and Urbana, Ohio. The capital stock is \$4,000,000. The assets consist of the plant at Hegewisch, worth \$2,000,000, and the plant at the other places which are mentioned as worth \$1,000,000. The other assets are in Car Trust bonds, worth \$1,500,000; rolling stock leased to various railroads, worth \$200,000; supplies and material in process of manufacture, \$1,000,000, and accounts amounting to \$300,000. It is understood the failure is due to the inability to collect \$900,000 due from various roads for the rent of cars. The property is put into the hands of a friendly receiver that this sum may be realized on.

The company employs 2,000 men, and is one of the largest employers in the country.

It is estimated that the company has lost \$500,000 in the last six months.

The company has been in a state of financial distress for some time.

The failure is the result of the stringency in the money market.

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## LATEST FROM THE FRONT.

## Sitting Bull Abides by the Advice of Friends.

## THE CRISIS NEAR AT HAND.

## The Government Prepared to Quell Any Outbreak Among the Hostile Redskins.

(SPECIAL DISPATCHES TO THE RECORD-UNION.)

## THE TURBULENT INDIANS BEING SEPARATED FROM THE PEACEFUL.

WASHINGTON, November 22.—The War Department has authorized the number of Indian scouts in the Division of Dakota increased by 300 men. They will be selected from the Indian police and other disciplined Indians.

Major-General Schofield this afternoon said that every hour which passed without an outbreak brightened the prospects of a peaceful settlement of the pending trouble.

Secretaries Foster and Noble were in consultation this afternoon with the President, who manifested much interest in the subject, and decided that two regiments of cavalry be sent to Pine Ridge from Arizona and New Mexico.

Dispatches from General Miles state that a separation of the friendly and turbulent Indians is proceeding rapidly at Pine Ridge.

General Brooke anticipates no immediate trouble, and thinks the separation will make an easier task of restraining the turbulent Indians.

Telegrams are received confirming the reports that the Mesquias are rapidly separating from the Indians.

At least, the chief of the Mesquias, under operation of Sitting Bull's emissaries.

ORDER FOR THE FRONT.

SAN ANTONIO, November 22.—General Stanley, commanding the Department of Texas, said to-day that he had received no information from the War Department regarding troops for the Indian country, as reported last night. He also said he thought there was no danger of an uprising.

GOULD A HEAVY PURCHASER OF STOCKS.

NEW YORK, November 22.—The following is a list of the heavy purchases made by J. P. Morgan & Co. in Wall Street. Recent events in the great speculative centers have resulted in the purchase of a large amount of stock.

The great financial depression brought the value of corporate securities down to a very low level. Gould believes that the market will soon be flooded with securities at existing prices, and his belief and his restored health are causes for his friendly interest in the stock market.

It is learned that Gould within one week expended \$100,000 in the purchase of a large amount of stock.

Harvard Defeats Yale.

SPRINGFIELD, November 22.—Yale and Harvard football teams met here this afternoon. The contest was a very close one, and the result was a tie.

Two Horse Thieves Killed.

WICHITA (Kan.), November 22.—Deputy Sheriff Dresher of Osborne county succeeded in killing two horse thieves who were hiding out in the western part of this county, when the pair suddenly opened fire on the sheriff and his men.

The thieves were killed, and the horses were recovered.

The sheriff and his men were unharmed.

The horses were recovered and are now in the hands of the sheriff.

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